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CENTRAL FAX CENTER

JUN 24 2005

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB04-183 (400.147))

IN THE APPLICATION OF:

McSwiggen *et al.*

Serial No. 10/798,090

Filed: March 11, 2004

Title RNA Interference Mediated  
Inhibition of Muscarinic  
Cholinergic Receptor Gene  
Expression Using Short Interfering  
Nucleic Acid (siNA)

)  
)  
) Examiner: TBA  
)  
) Group Art Unit: 1636  
)  
) Confirmation No.: 6030  
)  
) Facsimile No.: (703) 746-9195  
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)

**FACSIMILE TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Office of Initial Patent Examination  
Filing Receipt Corrections

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Request for Corrected Filing Receipt;
  - b) Copy of Corrected Filing Receipt with changes noted thereon;
2. With respect to fees:
  - a) It is believed no fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP  
300 SOUTH WACKER DRIVE, SUITE 3200  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001  
FACSIMILE (312) 913-0002

1

USSN 10/798,090  
MBHB04-183 (400/147)

4. CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being sent via facsimile to (703) 872-9306, Office of Initial Patent Examination (OIPE), Commissioner for Patents, Alexandria, Virginia 22313-1450 on June 24, 2005.

Respectfully submitted,  
McDonnell Boennen Hulbert & Berghoff LLP

Date: June 24, 2005

By:   
Anita J. Terpstra, Ph.D.  
Registration No. 47,132

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)**REQUEST FOR CORRECTED FILING RECEIPT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Attention: Office of Initial Patent Examination's  
Filing Receipts Corrections

Dear Sir:

1. Attached is a copy of a corrected filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.  
**Error in**  
Domestic Priority data as claimed by applicant:  
This application is a CIP of 10/757,803 01/14/2004  
which is a CIP of 10/720,448 11/24/2003  
which is a CIP of 10/693,059 10/23/2003  
which is a CIP of 10/444,853 05/23/2003

McDonnell, Boehnen Hulbert & Berghoff LLP  
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Chicago, Illinois 60606  
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Facsimile (312) 913-0002

USSN 10/798,090

Atty. Docket No.: MBHB04-183 (400.147)

which is a CIP of PCT/US03/05346 02/20/2003  
and is a CIP of PCT/US03/05028 02/20/2003  
which claims benefit of 60/358,580 02/20/2002  
and claims benefit of 60/363,124 03/11/2002  
and claims benefit of 60/386,782 06/06/2002  
and claims benefit of 60/406,784 08/29/2002  
and claims benefit of 60/408,378 09/05/2002  
and claims benefit of 60/409,293 09/09/2002  
and claims benefit of 60/440,129 01/15/2003  
This application 10/798,090  
is a CIP of 10/427,160 04/30/2003  
and is a CIP of PCT/US02/15876 05/17/2002

**Correct Data**

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/757,803 01/14/2004  
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which is a CIP of 10/693,059 10/23/2003  
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is a CIP of 10/427,160 04/30/2003

and is a CIP of PCT/US02/15876 05/17/2002

3. Applicants believe that no fee is due in connection with this filing; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-1249.

Respectfully submitted,  
McDonnell, Boehnen, Hulbert & Berghoff LLP

Date: June 24, 2005By: 

Anita J. Terpstra, Ph.D.  
Registration No. 47,132

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CENTRAL FAX CENTER

**JUN 24 2005**



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/798,090	03/11/2004	1636	549	04-183 (400.147)	24	31	1

**CONFIRMATION NO. 6030**

**CORRECTED FILING RECEIPT**



\*OC000000015916085\*

020306  
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

Date Mailed: 04/29/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Ivan Richards, Kalamazoo, MI;  
James McSwiggen, Boulder, CO;

**Power of Attorney:** The patent practitioners associated with Customer Number 020306.

**Domestic Priority data as claimed by applicant**

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**Foreign Applications**

If Required, Foreign Filing License Granted: 05/27/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/798,090**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

RNA interference mediated inhibition of muscarinic cholinergic receptor gene expression using short interfering nucleic acid (siNA)

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months

has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).